

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JONATHAN HITT,

Plaintiff,

v.

MARSHA MCLANE; ET AL.,

Defendants.

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CA 1:19-CV-735-LY-ML

ORDER

Defendant Greg Abbott’s Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) (Dkt. #121) is before the court. Plaintiff filed an “Advisory to the Court Regarding Defendant Greg Abbott’s Motion to Dismiss,” in which he explains why he named Abbott in the litigation but also seems to acquiesce to the motion to dismiss. Dkt. #122 at 4 (“However, based upon the statutory language, Texas ‘courts’ – rather than Abbott– likely have the ultimate authority to enforce some release mechanisms of chapter 841.10.”). Plaintiff also states he is considering whether he needs to amend his suit to name other parties. *Id.* Although the Advisory does not clearly argue against Abbott’s motion, it also does not expressly state that Plaintiff is unopposed to Abbott’s motion. Accordingly, the court **ORDERS** Plaintiff to file a notice no later than April 26, 2022, informing the court whether he opposes or is unopposed to Abbott’s motion and requesting any additional relief he may need with respect to that motion.

SIGNED April 12, 2022.



MARK LANE
UNITED STATES MAGISTRATE JUDGE